IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 5TH JANUARY 2007 / 15TH PAUSHA 1928

WA.No. 33 of 2007()

AGAINST THE JUDGEMENT/ORDER IN WPC.32302/2006 Dated 05/12/2006

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APPELLANT: PETITIONER

K.K.IBRAHIM, PROPRIETOR,
SHAJI MATCH INDUSTRIES,
KUTHAMPALLY, THRISSUR DISTRICT.

BY ADV. SRI.G.HARIHARAN
SRI.PRAVEEN.H.

RESPONDENTS: RESPONDENTS
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1. THE SALES TAX OFFICER,
DEPARTMENT OF COMMERCIAL TAXES,
WADAKKANCHERRY, THRISSUR DISTRICT.

2. THE DEPUTY TAHSILDAR (R.R.),
TALUK OFFICE, TALAPPILLY,
WADAKKANCHERRY, THRISSUR DISTRICT.

3. VILLAGE OFFICER,
KANIYARKODE VILLAGE, THALAPPILLY TALUK,
THRISSUR DISTRICT.

4. APPELLATE ASSISTANT COMMISSIONER,
COMMERCIAL TAXES, THRISSUR.

BY

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 05/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S. RADHAKRISHNAN & M.N. KRISHNAN, JJ.

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W.A. NO. 33 OF 2007

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Dated this the 5th day of January, 2007.

J U D G M E N T

Radhakrishnan, J.

There is no error in the finding of the learned Single Judge to be interfered by us. In the impugned judgment reference has been made to the directions contained in W.P.C. 18158/04 stating which direction has not been complied with. We notice, in W.P.C. 22172/04 a learned Single Judge directed the petitioner to pay 1/3rd of the amount demanded, which has been complied with. In such circumstances, we find no reason to interfere with Ext.P12 order of the Appellate Authority. Therefore, this writ appeal stands dismissed.

K.S. RADHAKRISHNAN, JUDGE.

M.N. KRISHNAN, JUDGE.

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K.S. RADHAKRISHNAN & M.N. KRISHNAN, JJ.

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W.A. NO. 33 OF 2007

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Dated this the 19th day of January, 2007.

O R D E R

Radhakrishnan, J.

This writ appeal is again moved at the instance of the counsel appearing for the appellant stating that he may be given time for paying the amount demanded. Considering the facts and circumstances of the case, we are inclined to allow the petitioner's request. Therefore, we allow the petitioner to pay the amount in four equal monthly installments starting from 1/2/2007 and in default of the same, benefit of this order will not be available to the petitioner. Meanwhile, the recovery proceedings initiated will be kept in abeyance to enable the petitioner to pay the amount as directed.

K.S. RADHAKRISHNAN, JUDGE.

M.N. KRISHNAN, JUDGE.

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